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**City of Belfast
Council Chambers-Belfast City Hall
Tuesday, February 6, 2024**

7:00 p.m. Regular Council Meeting

Regular Council Meeting No. 15

1) Call to order

2) Present: Mayor Eric Sanders, Councilors Mary Mortier, Neal Harkness, Brenda Bonneville, Chris Bitely, Paul Dean; City Manager Erin Herbig and Deputy City Manager Manda Cushman.

3) Pledge of Allegiance

4) Adoption of the agenda

Mayor Sanders noted a request to amend the regular agenda to include:

- **10) M #1** Request to go into an Executive Session on a Poverty Abatement pursuant to 36 M.R.S.A. Section 841.
- **10) M # 2** Possible action on a Poverty Abatement Request.

Councilor Dean requested to amend the agenda to include item **10) A #2** Discussion with the Belfast Poet Laureate regarding email to City Council.

City Manager Erin Herbig request to amend the Consent Agenda to include:

- **9) E** Request to approve an extension of liquor license for Darby's Inc. d/b/a Darby's Restaurant and Pub located at 155 High Street, Belfast, ME to provide outside seating with a fenced in dining area (3 parking spaces) during the Ice Festival event February 23, 2024, through February 25, 2024.
- **9) F** Request to approve an extension of liquor license for Delvino LLC d/b/a Delvino's Grill and Pasta House located at 52 Main Street, Belfast, ME to provide outside seating with a roped off dining area and ice bar on Main Street during the Ice Festival event February 23, 2024, through February 25, 2024.
- **9) G** Request to approve an extension of liquor license for FFS LLC d/b/a Nautilus Seafood and Grill located at 3 Main Street, Belfast, ME to provide outside seating with a

roped off dining area and ice bar in Nautilus owned parking spots during the Ice Festival event February 23, 2024, through February 25, 2024.

Councilor Dean, seconded by Councilor Bonneville, made a motion to adopt the agenda, as amended. This motion was approved, 5-0.

5) Acceptance of the minutes

Regular Council Meeting of January 16, 2024, and Council Work Session and Special Council Meeting of January 30, 2024.

Councilor Harkness, seconded by Councilor Dean, made a motion to accept the minutes from the Regular Council Meeting of January 16, 2024, and Council Work Session and Special Council Meeting of January 30, 2024. This motion was approved, 5-0.

6) A. Open to the public

City Manager Erin Herbig noted that the Council received one email from Janet Williams of Searsport and no postal mail, prior to noon today which was shared with Council before the start of the Council meeting to be included as part of the Open to the Public.

1. Amanda Cunningham, Executive Director of Our Town Belfast provided an update on the Keep the Faith Fund and thanked the community for their support to businesses impacted by the most recent storm.
2. Jillian Howell, Executive Director of Up Stream Watch discussed their litigation offer and requested that the City reconsider their support of the Nordic Aqua Farm project.
3. Maya Stein, Belfast Poet Laureate, invited the City Council and public to upcoming poetry events at the Library and read a poem.

B. Organization and Department Reports

City Manager Erin Herbig reminded the public of City Facilities closure for President's Day, February 19, 2024.

7) Communications

Councilor Bonneville discussed concerns with the stability of the Muck and inquired about the possibility of signage to warn the public of risk of use during the winter.

Councilor Mortier talked about the ribbon cutting held earlier in the evening for the opening of Convenient MD and discussed the healthcare services they will be providing to the community.

Councilor Dean inquired about reaching out to the Fire Chief to see if anything could be installed at the Muck for added safety measures much like at the Harbor.

Councilor Harkness noted that signage at the Muck could also include directing people to the ice rink at Waterfall Arts as a safer option.

8) Old Business and City Committee Reports

City Manager Erin Herbig noted that in response to January’s public announcement that the City was accepting committee applications, we received six applications, noted that the Library Board of Trustees recommended the appointment of Kay Zegel and requested that Council schedule a time to conduct committee interviews.

Councilors unanimously agreed to hold Committee interviews starting at 6:00 p.m. on March 5, 2024.

Councilor Mortier, seconded by Councilor Harkness, made a motion to appoint Kay Zegel to the vacant position on the Library Board of Trustees. This motion was approved, 5-0.

Nat Clifford, Housing and Property Development Committee Chair provided a committee update.

David Loxtercamp, Pedestrian, Transportation and Accessibility Committee member provided a committee update.

9) Permits, Petitions and Licenses - Consent Agenda

- A. Request to approve a Facility Use Application by Collin Brewster Cuning for the Cold Water Connections “Dip-A-Thon” fundraiser on Saturday, February 10th at 10:00 a.m. at the Belfast Boathouse Beach.
- B. Request to approve an off-premises catering permit for The Otis Group Incorporated d/b/a Rollie’s Bar & Grill for the Burns Night fundraiser event on January 27, 2024 from 4:00 p.m. to 10:00 p.m. located at the Waldo County Shrine Club, 20 Northport Ave., Belfast, Maine.
- C. Request to approve an application for a Special Amusement Permit Shawna Aitken d/b/a Nautilus Seafood and Grill for live entertainment, music, vocals – Karaoke, DJ and dancing located at 3 Main Street, Belfast, Maine, interior and exterior.

- D. Request to approve an application by Shawna Aitken/FFS LLC d/b/a Nautilus Seafood and Grill located at 3 Main Street, Belfast, Maine for a new Malt, Spirituous and Vinous Restaurant (Class I, II, III, IV) liquor license.
- E. Request to approve an extension of liquor license for Darby’s Inc. d/b/a Darby’s Restaurant and Pub located at 155 High Street, Belfast, ME to provide outside seating with a fenced in dining area (3 parking spaces) during the Ice Festival event February 23, 2024, through February 25, 2024.
- F. Request to approve an extension of liquor license for Delvino LLC d/b/a Delvino’s Grill and Pasta House located at 52 Main Street, Belfast, ME to provide outside seating with a roped off dining area and ice bar on Main Street during the Ice Festival event February 23, 2024, through February 25, 2024.
- G. Request to approve an extension of liquor license for FFS LLC d/b/a Nautilus Seafood and Grill located at 3 Main Street, Belfast, ME to provide outside seating with a roped off dining area and ice bar in Nautilus owned parking spots during the Ice Festival event February 23, 2024, through February 25, 2024.

Councilor Harkness, seconded by Councilor Dean, made a motion to approve the Consent Agenda, as amended. This motion was approved, 5-0.

10) Business

A) Request to approve an application for Certificate of Public Convenience and Necessity by Anthony Frank d/b/a Belfast Bay Taxi to operate a taxicab in the City of Belfast.

City Manager Erin Herbig reviewed the request to approve an application for Certificate of Public Convenience and Necessity by Anthony Frank d/b/a Belfast Bay Taxi to operate a taxicab in the City of Belfast and answered Council questions.

Mr. Frank provided additional information and clarification on his plans to start and eventually expand his business if approved.

Councilor Mortier, seconded by Councilor Bonneville, made a motion established a nonrefundable fee of \$50.00 for the initial application for Certificate of Public Convenience and Necessity by Anthony Frank d/b/a Belfast Bay Taxi to operate a taxicab in the City of Belfast and \$10.00 for each additional taxicab added. This motion was approved, 5-0.

Councilor Harkness, seconded by Councilor Bitely, made a motion to approve an application for Certificate of Public Convenience and Necessity by Anthony Frank d/b/a Belfast Bay Taxi to operate a taxicab in the City of Belfast. This motion was approved, 5-0.

A) #2 Discussion with the Belfast Poet Laureate regarding email to City Council.

Councilor Dean thanked Poet Laureate Maya Stein for the email she sent updating the City Council on all the work she has accomplished and is currently working on in her capacity as Poet Laureate and inquired about if Council approval was needed before she applied for any grants.

Poet Laureate Maya Stein provided further clarification on the grants she is planning on applying for and answered Council questions.

City Manager Erin Herbig noted that per the Position, Policy and Process of the Belfast Poet Laureate as outlined on the City website, the City of Belfast appoints an honorary position of Belfast Poet Laureate and that it is an unfunded position with no allowed expenses, except the Poet Laureate may choose to have business cards printed at the City's expense and may apply for grants that benefit the community. She recommended that if any grants require City Council approval, support, or documentation that the Poet Laureate could reach out to the City Manager's Office for guidance on how to proceed.

B) Request to approve a Facility Use Application by Our Town Belfast for the Annual Ice Festival and Ice Carving Championship.

Executive Director of Our Town Belfast Amanda Cunningham reviewed the request approve a Facility Use Application by Our Town Belfast for the Annual Ice Festival and Ice Carving Championship with the additional road closure and answered Council questions.

Councilor Harkness, seconded by Councilor Dean, made a motion to approve a Facility Use Application by Our Town Belfast for the Annual Ice Festival and Ice Carving Championship. This motion was approved, 5-0.

C) Request from the Fire Chief to accept a \$1,000.00 donation to the Belfast Fire Department.

City Manager Erin Herbig briefly reviewed the request from the Fire Chief to accept a \$1,000.00 donation to the Belfast Fire Department.

Councilor Bonneville, seconded by Councilor Mortier, made a motion to accept the funds of \$1,000.00 and to place these funds into the Department's Jaws of Life account #1-2100-00 to apply towards the future purchase of rescue equipment. This motion was approved, 5-0.

D) Request from the Cemetery Superintendent to use Capital Reserve Funds to purchase a new engine for the Cemetery Department's 1999 Chevy pickup truck.

Cemetery Superintendent Leigh Wilcox reviewed the request to use Capital Reserve Funds to purchase a new engine for the Cemetery Department's 1999 Chevy pickup truck and answered Council questions.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to expend \$3,500.00 from the Cemetery Department's Capital Reserve Account # 630-537 to purchase a new engine for the Cemetery Department's 1999 Chevy pickup truck. This motion was approved, 5-0.

E) Request from the Wastewater Treatment Superintendent to use Capital Reserve Funds to purchase a replacement aeration blower for the Wastewater Treatment Facility.

Wastewater Treatment Superintendent Travis Jones reviewed the request to use Capital Reserve Funds to purchase a replacement aeration blower for the Wastewater Treatment Facility and answered Council questions.

Councilor Mortier, seconded by Councilor Harkness, made a motion to transfer \$26,834.65 from the Wastewater Department's Capital Reserve Account to the Department's operating budget line Equipment and Parts Account #990-611 to purchase a replacement aeration blower from Excelsior Blower Systems for the Wastewater Treatment Facility. This motion was approved, 5-0.

F) Request from the Wastewater Treatment Superintendent to award the bid for the Phase 1 CSO Reduction Project.

Wastewater Treatment Superintendent Annaleis Hafford reviewed the bid for the Phase 1 CSO Reduction Project and answered Council questions regarding the scope of the project and funding.

Councilor Mortier, seconded by Councilor Harkness, made a motion to accept the one bid and to award the bid for the Phase 1 CSO Reduction Project to Nitram Excavation of Benton, Maine for \$2,944,586. This motion was approved, 5-0.

G) Request by the Director of Planning and Codes to utilize Capital Improvement Project Funding to address property maintenance issues at 55 Londonderry Lane in Belfast.

City Manager Erin Herbig reviewed the request to utilize Capital Improvement Project Funding to address property maintenance issues at 55 Londonderry Lane in Belfast and answered Council questions.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to expend up to \$3,850.00 from Capital Improvement Project Account #720-918 to address property maintenance issues at 55 Londonderry Lane. This motion was approved, 5-0.

H) Request by the Deputy Economic Development Director to submit a Request for Flood Mitigation Assistance Grant Funding to hire a consultant to support the City of Belfast Hazard Mitigation Plan.

Economic Development Director Thomas Kittredge reviewed the request to submit a Request for Flood Mitigation Assistance Grant Funding to hire a consultant to support the City of Belfast Hazard Mitigation Plan and answered Council questions.

Councilor Dean, seconded by Councilor Bitely, made a motion to authorize the submission of a grant application to FEMA's Flood Mitigation Assistance fund to hire a consultant to assist the City of Belfast with the creation of a City specific Hazard Mitigation Plan in the amount of \$30,000 with a City match in the amount of \$10,000 in the form of in-kind staff and committee time. This motion was approved, 5-0.

I) Presentation by the Economic Development Director regarding a Community Development Block Grant Public Service Program Grant.

Economic Development Director Thomas Kittredge gave a presentation regarding a Community Development Block Grant Public Service Program Grant.

J) Public Hearing regarding the City of Belfast's acceptance of a Community Development Block Grant Public Service Grant.

Economic Development Director Thomas Kittredge read the following Public Hearing notice:

PUBLIC HEARING NOTICE

THE CITY OF BELFAST

The City of Belfast will hold a Public Hearing on Tuesday, February 6th, 2024, as part of its regularly scheduled City Council meeting, which begins at 7:00pm on that date, at Belfast City Hall, 131 Church Street, Belfast, Maine, to discuss the acceptance of a CDBG Public Service Program Grant. The purpose of this CDBG Public Service Program Grant is to provide financial assistance to the Penobscot Community Health Center to allow them to purchase furniture, fixtures, and/or equipment for a new dental clinic in Belfast. Public comments will be solicited at this Hearing and will be submitted as part of the Project Development Phase. All persons wishing to make comments or ask questions about the acceptance of these funds are invited to attend this Public Hearing.

Comments may be submitted in writing to: Thomas Kittredge, Economic Development Director for the City of Belfast, Belfast City Hall, 131 Church Street, Belfast Maine, 04915; or via email to: economicdevelopment@cityofbelfast.org at any time prior to the Public Hearing. TDD/TTY users may call 711. If you are physically unable to access any of the City of Belfast's programs or services, please contact Thomas Kittredge at (207) 338-3370, extension 116, so that accommodations can be made.

Economic Development Director Thomas Kittredge noted that no written public comments were received prior to the Public Hearing.

Mayor Sanders asked for proponents and opponents and hearing none declared the hearing closed.

K) Request by the Economic Development Director to have the City Council authorize the acceptance of a Community Development Block Grant Public Service Program Grant.

Economic Development Director Thomas Kittredge reviewed the request to have the City Council authorize the acceptance of a Community Development Block Grant Public Service Program Grant and answered Council questions.

Councilor Mortier, seconded by Councilor Bonneville, made a motion to authorize the acceptance of the \$50,000 in CDBG Public Service Grant Program funds; approve and sign the supplied resolution; and authorize the City Manager to sign any and all documents necessary for the acceptance of these grant funds. This motion was approved, 5-0.

L) Request by the Economic Development Director to authorize the execution of a contract with Street Plans for a City of Belfast Active Transportation and Accessibility Plan.

Economic Development Director Thomas Kittredge reviewed the request to authorize the execution of a contract with Street Plans for a City of Belfast Active Transportation and Accessibility Plan and answered Council questions.

City Manager Erin Herbig thanked the committee for their initiative and teamwork with the City to bring to fruition.

Councilor Dean, seconded by Councilor Harkness, made a motion to approve the review the Committee's recommendation to hire Street Plans to undertake a City of Belfast Active Transportation and Accessibility Plan; authorize the execution of a contract with Street Plans for this work; and authorize the City Manager to sign any and all documents necessary for the execution of this contract. This motion was approved, 5-0.

M) Council approval of a Proclamation regarding the future of the Hutchinson Center.

City Manager Erin Herbig reviewed the approval of a Proclamation regarding the future of the Hutchinson Center.

Mayor Sanders read the proclamation and discussed the City Council's support for the Hutchinson Center Steering Committee's submission of an RFP to the University of Maine.

Councilor Harkness, seconded by Councilor Dean, made a motion to retroactively approve the proclamation that was provided to the Hutchinson Center Steering Committee on January 30, 2024, to be included in their RFP to the University of Maine. This motion was approved, 5-0.

M) #1 Request to go into an Executive Session on a Poverty Abatement pursuant to 36 M.R.S.A. Section 841.

Councilor Harkness, seconded by Councilor Dean, made a motion to go into Executive Session on a Poverty Abatement matter pursuant to 36 M.R.S.A. section 841 at 8:43 p.m. This motion was approved, 5-0.

Councilor Bonneville, seconded by Councilor Dean, made a motion to adjourn the Executive Session on a Poverty Abatement matter pursuant to 36 M.R.S.A. section 841 at 9:03 p.m. This motion was approved, 5-0.

M) # 2 Possible action on a Poverty Abatement Request.

No discussion or action taken.

N) Signing of Council Orders and housekeeping items.

Council Order #42 Signed by Councilor Bonneville Ordered That:

The City Manager and the City Treasurer are authorized to accept the funds of \$1,000.00 and to place these funds into the Fire and Ambulance Department's Jaws of Life account #1-2100-00 to apply towards the future purchase of rescue equipment. (Approved on February 6, 2024)

Council Order #43 Signed by Councilor Mortier Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$3,500.00 to purchase a new engine for the Cemetery Department's 1999 Chevy pickup truck. Funding is to come from the Cemetery Department's Capital Reserve Account # 630-537. (Approved on February 6, 2024)

Council Order #44 Signed by Councilor Mortier Ordered That:

The City Manager and the City Treasurer are authorized to transfer \$26,834.65 from the Wastewater Department's Capital Reserve Account to the Department's operating budget line Equipment and Parts Account #990-611 to purchase a replacement aeration blower from Excelsior Blower Systems for the Wastewater Treatment Facility. (Approved on February 6, 2024)

Council Order #45 Signed by Councilor Mortier Ordered That:

The City Manager and the City Treasurer are authorized to expend up to \$3,850.00 to address property maintenance issues at 55 Londonderry Lane, Map 2 Lot 19-I. Funding is to come from Capital Improvement Project Account #720-918. (Approved on February 6, 2024)

11) Open to the Public

No comments.

12) Communications

No comments.

13) Adjourn

Councilor Harkness, seconded by Councilor Bonneville, made a motion to adjourn at 9:03 p.m. This motion was approved, 5-0.

HEREBY CERTIFY THAT THE ABOVE
IS A TRUE COPY OF INFORMATION
IN THE RECORD WHICH IS IN MY
OFFICIAL CUSTODY

ATTEST



AMANDA CUSHMAN, BELFAST MAINE